

Chapter 98

BRUSH, GRASS AND WEEDS

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[HISTORY: Adopted by the Mayor and Council of Pocomoke City 2-18-1985 as Ord. No. 281, approved 2-19-1985 (Ch. 51 of the 1968 Code). Amendments noted where applicable.]

GENERAL REFERENCES

Nuisances -- See Ch. 169.

Solid Waste -- See Ch. 195.

§ 98-1. Height regulations; cutting and removal required

It shall be unlawful for any owner, occupant or person in control of any lots or lands located within the corporate limits of Pocomoke City to allow on any such lot or land any growth of grass, brush or weeds to a height of ten (10) inches or more. Any owner, occupant or person in control of any lot or land within Pocomoke City shall be responsible for the cutting and removal of the grass, brush or weeds. This section shall not apply to undeveloped wooded lots and undeveloped non-wooded lots over one (1) acre and more than two hundred (200) feet from any residence, which shall require cutting and removal of grass, brush or weeds at least two (2) times per growing season.

§ 98-2. Maintenance of sidewalk, curb and gutter area.

Property owners, occupants or persons in control of any lot or land located in Pocomoke City shall maintain their respective curb, gutter and sidewalk bordering their parcels of land in such condition as to be clear of all growth of grass and weeds within the curb, gutter and sidewalk.

§ 98-3. Notice to owner or occupant¹

The City Manager is hereby authorized and directed to give written notice to the owner, occupant or person in control of any lot or parcel of land who has permitted the excessive growth of grass, weeds or brush upon his or her property or in the curb, gutter or sidewalk to cut, destroy and remove the same within a stated time, to be not less than seven (7) days from the date of such notice. Sufficient notice shall be deemed to have been given if given by personal service thereof by any member of the Police Department or by first-class mail addressed to the owner, occupant or person in control at his or her last known address as the same appears upon the city's tax records or Water Department account records. Second and subsequent notices in any calendar year shall be not less than four (4) days from the date of such notice.

¹Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

§ 98-4. Removal by city.

In the event of the failure, neglect or refusal of any owner, occupant or person in control, duly notified in accordance with ~ 98-3, to cut, destroy or remove such excessive growth of grass, weeds or brush from his or her property in accordance with the notice duly given, the City Manager shall remove or contract for the removal of the growth of grass, weeds or brush therefrom.

§ 98-5. Collection of costs; liens; administrative fee

The cost of any work ordered by the City Manager pursuant to §98-4 hereof shall constitute a lien on the property and, unless paid in full by the owner, occupant or person in control within thirty (30) days after the same is billed by the City Clerk, shall draw interest from and after said thirty (30) days at the rate of one per centum (1%) per month or fraction thereof, and the costs thereof, if not paid, shall be added to the next annual tax bill of such property, and the City Clerk shall not accept payment for or receipt said tax bill unless the amount so assessed against that property, with interest thereon, is included in the amount paid. An administrative fee of twenty-five percent (25%) will be charged in addition to the cost of performing the work.

§ 98-6. Violations and penalties

In the event of the failure, neglect or refusal of any owner, occupant or person in control duly notified in accordance with § 98-3 to cut, destroy or remove such excessive growth of grass, weeds or brush from his or her property in compliance with the notice duly given, he or she shall be in violation of this chapter and shall be guilty of a municipal infraction and shall be governed by the provisions of Chapter 1, General Provisions, Article V, Municipal Infractions, and any person found to have committed said municipal infraction shall be subject to a fine as set forth in the Fees, Charges and Rates Schedule, as adopted by resolution of the City Council from time to time² Each and every day that a person shall be in violation of this chapter shall constitute a separate offense.

² Editor's Note: The current Fees, Charges and Rates Schedule is on file in the City Clerk's office.